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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

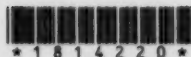
Written statement* submitted by the Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2018]

* Issued as received, in the language(s) of submission only.

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The application of the right to development

Preface

In the uncertain international situation and the growing intensity of armed conflicts, the right to development faces multiple obstacles to its application and respect.

In this context, Maat wishes to reaffirm that the right to development is an inalienable human right.

References to the concept of the right to development have been made in the international covenants: provided in article 1 which states that: (the right of peoples to self-determination and to be free to achieve their economic, social and cultural development). It also provides for the right of all peoples to pursue their own objectives through the free disposal of their natural wealth and resources without prejudice to any obligations deriving from international economic cooperation, based on the principle of mutual benefit under international law. In no case may a people be deprived of his own means of subsistence, and nothing in the provisions of the present covenant may be construed as impairing the inherent right of all peoples to enjoy and benefit fully freely from their natural wealth and resources.¹

Although discussions on the human rights relationship to development had begun early in the aftermath of the Second World War, the notion of the right to development as an independent right had been elaborated in an international document only during the 1980s. These discussions and efforts on the human rights relationship to development resulted in the adoption of the United Nations Declaration on the Right to development, issued under the UN General Assembly resolution of December 4, 1986, after 146 states voted in favor of the UN Declaration on the right to development, while one State, the United States of America, opposed it, and eight abstained. The U objection may² reveal an important aspect of the use of force in influencing the aims of the UN to promote for the right to development.

Challenges to the realization of the right to development

Maat wishes to emphasize that the realization of the right to development faces a number of challenges and difficulties, the most important:

- The multiplicity of bodies responsible for the realization of collective rights in real life, where the responsibility of its application is mutual between the developed and developing countries and is often not achieved. In addition to international institutions and specialized agencies of the United Nations, which have a responsibility to promote the right to development.
- Lack of a formal political Will; to declare on the right to development, in addition to the conflict on the knowhow of its application. For this reason, the right to development is still non-legally binding, contrary to other rights which are stated in international treaties which oblige member states to apply its provisions, and the mechanisms for monitoring and receiving complaints emanating from these international treaties.
- Increased willingness to single out the UN decisions in the hand of powerful states.
- The development aid is firmly connected with the degradation of independence of the political will of such receiving states.

The right to development and the SDGs 2030:

The SDGs adopted by the UN and international organizations is linked to the right to development, where, the Rio de Janeiro Declaration of the Earth Summit in Brazil on June 12, 1992 states that the right to development must be realized in a manner that ensures the equitable fulfilment of the developmental and environmental needs of present and future generations.

It must be pointed out that development is not a split or one-sided process but a comprehensive one encompassing all economic, social and cultural aspects which are the fundamentals of human rights.³

¹ International Covenant on Civil and Political Rights, UN GA resolution 2200 in December 1966.

² Dr. Abdulaziz Mohammed al-Wasel, the right to development between reality and Hope, Arabic magazine, Friday 6/9/2013: <https://bit.ly/2OJso8l>.

³ Majid Ahmed Samurai, the right to development is the right of every human being, ketabat website, 16 November 2013, website/ <https://bit.ly/2M29pHn>.

Within the implementation of the SDGs, states have agreed to contribute to the promotion and protection of the right to development, within what was agreed on; in the Addis Ababa plan of Action of the Third International Conference on Financing for Development and the Paris Agreement on climate change. In addition, it calls for the promotion of the concept of the right to development in international bodies and mechanisms for the protection of human rights and to strengthen the global partnership for achieving the goals of sustainable development.⁴

The realization of the right to development and the implementation of the SDGs 2030 also seek to eradicate poverty, discrimination and inequality, with a view to improving human well-being and reduce poverty which prevents any benefits from development.⁵

Challenges to the right to development in the Arab and African States

The realization of the right to development in the Arab and African States has shown many disadvantages, weaknesses and negative effects on citizens, including:

1. **Inequality:** Despite the fact of the high growth of the world economy; millions of people are left suffering from inequality. The progress has been achieved in states with unequal rates, particularly; in Africa and in the least developed countries, where persistent poverty and inequality are a major threat to human rights and development and thus threatening peace and security as well.
2. **Globalization and the spread of poverty:** The universal failure to regulate globalization for trade, investment, finance, intellectual property and the movement of people—to be compatible with states obligations within the field of human rights. It has led to the fact that most of the benefits of globalization do not reach more than half the world's population, i.e. 3 billion people living on less than \$2 a day. In addition, there are still more than 1 billion living in extreme poverty, millions of people living without work and an increasing number of communities cracking down under racial, ethnic or social pressures. In addition, globalization has led to greater inequality both among states and citizens.

Extreme poverty and enormous disparities in wealth and income are a real obstacle to democracy and development, a violation of human rights and a ban to any fruitful cooperation.⁶ Wealth is also limited to 62 people only around the world owning; which is equal to the combined wealth of half of the earth's population.

As well; \$7.6 trillion US dollars of private wealth is hidden in external accounts that have devastating effects on developing countries. Africa alone loses \$50 billion a year in illicit financial flows resulting from fraudulent schemes to avoid paying taxes.

In addition, military spending in the region increased by 91% to reach more than \$50 billion in 2014. Every year, Africa loses more than \$100 billion, which could have been spent on the application of the right to development.⁷

Recommendations

- There is a need to promote a global partnership for development; through the increase of meaningful dialogue and cooperation, which underpins the coherence of human rights-based policies and coordination at all levels and which is the best basis for the realization of the right to development and the millennium development goals.

⁴ HRC Decision of 29 September 2016 on the right to development Document No. A/HRC/RES/33/14 - 33rd session in-agenda item 3.

⁵ Report of the Secretary-General and the UN HC in accordance with agenda items 2 and 3 of the thirty-third session of the Human Rights Council 26 July 2016 document No A/HRC/RES/33/31.

⁶ Abdulaziz al-Nuiidi, the right to development as a human and peoples' right, the Arab Guide: human Rights and development, , http://www.pal-monitor.com/dalil/ch_5.htm.

⁷ Statistics cited by the Deputy High Commissioner in the side event of the African Union Aqamaha on the right to Development on March 1, 2016 at the Palais des Nations in Geneva. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17126&LangID=E>.

- The developing countries, particularly in the Arab and African region, should change their strategy to promote the right to development; and to avoid any limitation to application of the right to development in the field of human rights solely, i.e. dealing with the right to development as an inclusive right.
- The involvement of the transnational cooperation and business enterprises in the development process, with a balance between national and international institutions.
- The prioritization by states, to be inconsistent with their national status, so as to ensure that everyone enjoys their right to development.
- Ensuring human rights-based policy coherence in the global partnership for development and the inclusion of all human rights, including the right to development.
- Emphasize the role of civil society in advocating for the full integration of human rights into development programs and policies, including the right to development. Civil society must play a role in identifying challenges and obstacles at the local, national, regional and global levels for the application of the right to development.